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Page 1 of 2
IFW ✓

8/16/04

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/823,416	04/12/2004	Matthew R. Selmon	LMND.P082X

Shemwell Gregory & Courtney LLP
Suite 201
4880 Stevens Creek Boulevard
San Jose, CA 95129

CONFIRMATION NO. 3249

FORMALITIES LETTER



OC000000013065658

Date Mailed: 06/25/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/16/2004 BSAYAS11 00000019 10823416

01 FC:2001	385.00 OP
02 FC:2051	65.00 OP
03 FC:2201	172.00 OP
04 FC:2202	342.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The signature of the following inventor(s) is missing from the oath or declaration:
Matthew R. Selmon & Rob Deckman
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

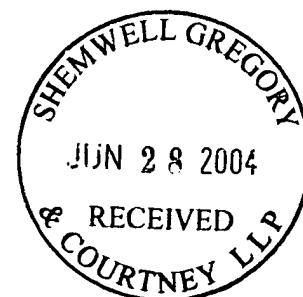
The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$514 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$964** for a Small Entity

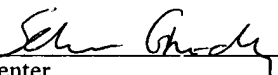
- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$514**



- \$172 for 4 independent claims over 3.
- \$342 for 38 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



City. Docket No. LMND.P082X

PATENT

IN THE UNITED STATES PATENT OFFICE

In Re Patent Application of:)	
)	Examiner: Not Yet Assigned
Matthew R. Selmon, et al.)	
)	Art Unit: 3763
Application No. 10/823,416)	
)	
Filed: April 12, 2004)	
)	
For: CATHETER SYSTEMS FOR CROSSING)	
TOTAL OCCLUSIONS IN VASCULATURE)	
)	

Mail Stop Missing Parts
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

In response to a Notice to File Missing Parts mailed June 25, 2004 in connection with the above-referenced application, applicant has enclosed the following:

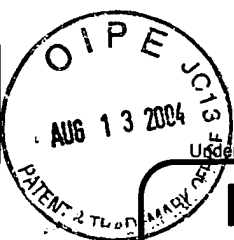
- (1) one (1) Declaration pursuant to 37 CFR 1.63;
- (2) one (1) Assignment and accompanying Recordation Form Cover Sheet;
- (3) check number 3655 in the amount of \$1,004.00 including:
 - (a) Oath or Declaration Surcharge of \$65.00 under 37 CFR 1.16(e);
 - (b) Statutory basic filing fee for a small entity of \$385.00;
 - (c) Additional claim fees for a small entity of \$514.00; and
 - (d) Assignment recordation fee of \$40.00 under 37 CFR 3.41.
- (4) a copy of the Notice to File Missing Parts;

Please charge Deposit Account No. 501914 for any fee deficiency that may be due. A duplicate of this Response is enclosed for Deposit Account charging purposes.

Respectfully Submitted,

Date 08-13-2004

Richard L. Gregory, Jr.
Reg. No. 42,607



PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,004.00

Complete if Known

Application Number	Not yet assigned
Filing Date	April 12, 2004
First Named Inventor	Matthew R. Selmon
Examiner Name	
Art Unit	3763
Attorney Docket No.	LMND.P082X

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number: 501914
Deposit Account Name:

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	385.00
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 385.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	58	-20** = 38	X 9 = 342
Independent Claims	7	-3** = 4	X 43 = 172
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)				

SUBTOTAL (2) (\$) 514.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	65.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40.00
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 105.00

SUBMITTED BY

(Complete if applicable)

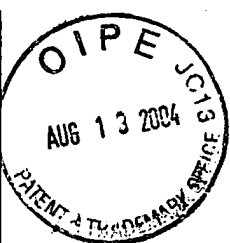
Name (Print/Type)	Richard L. Gregory Jr.	Registration No. (Attorney/Agent)	42,607	Telephone	408-236-6646
Signature	<i>R. Gregory</i>	Date	August 13, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



EXPRESS MAIL CERTIFICATE OF MAILING

Express Mail" mailing label number: EV 442 572 535 US

Date of Deposit: August 13, 2004

I hereby certify that I am causing the paper(s) and/or fee(s) indicated below to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that the paper(s) and/or fee(s) have been addressed to the Mail Stop Missing Parts, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Richard L. Gregory, Jr.

(Typed or printed name of person mailing paper(s) or fee(s))

(Signature of person mailing paper or fee)

08-13-2004

(Date signed)

Serial/Patent No.: 10/823,416

Filing/Issue Date: April 12, 2004

Title: Catheter Systems for Crossing Total Occlusions in Vasculature

Atty. Docket No.: LMND.P082X

Date Mailed: August 13, 2004

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- | | |
|--|--|
| <input type="checkbox"/> Amendment/Response (pgs.) | <input type="checkbox"/> Petition for Extension of Time (month(s)) |
| <input type="checkbox"/> Preliminary Amendment (pgs.) | <input type="checkbox"/> Information Disclosure Statement & PTO/SB/08A |
| <input type="checkbox"/> Application - Utility (pgs.) | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Application - Rule 1.53(b) Contin. (pgs.) | <input type="checkbox"/> Submission of Formal Drawings |
| <input type="checkbox"/> Application - Rule 1.53(b) Divis. (pgs.) | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Application - Rule 1.53(b) CIP (pgs.) | <input type="checkbox"/> Appeal Brief (pgs. in triplicate) |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA (pgs.) | <input type="checkbox"/> Reply Brief |
| <input type="checkbox"/> Application - PCT (pgs.) | <input checked="" type="checkbox"/> Response to Notice of Missing Parts (in duplicate) |
| <input type="checkbox"/> Application - Provisional (pgs.) | <input type="checkbox"/> Utility Patent Application Transmittal |
| <input type="checkbox"/> Drawings (sheets) | <input checked="" type="checkbox"/> Fee Transmittal (in duplicate) |
| <input checked="" type="checkbox"/> Declaration (4 pgs.) | <input checked="" type="checkbox"/> Itemized Postcard |
| <input checked="" type="checkbox"/> Assignment & Cover Sheet (3 pgs.) | <input checked="" type="checkbox"/> Express Mail Certificate Of Mailing |
| <input type="checkbox"/> Power of Attorney (pgs.) | <input checked="" type="checkbox"/> Express Mail No. <u>EV 442 572 535 US</u> |
| <input type="checkbox"/> Nonpublication Request (35 USC 122(b)) | <input checked="" type="checkbox"/> Check No. <u>3655</u> Amt <u>\$1,004.00</u> |
| <input checked="" type="checkbox"/> Other <u>Notice To File Missing Parts of Nonprovisional Application.</u> | |